



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/722,576	11/28/2000	Gasper Hernandez III	2925-0485P	5411

30594 7590 07/28/2003

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 8910
RESTON, VA 20195

EXAMINER

SHRADER, LAWRENCE J

ART UNIT	PAPER NUMBER
----------	--------------

2124

DATE MAILED: 07/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/722,576

Applicant(s)

HERNANDEZ, GASPER

Examiner

Lawrence Shrader

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The corrected or substitute drawings were received on August 15, 2001. These drawings are acceptable.

Specification

2. The abstract of the disclosure is objected to because the Abstract exceeds 150 words in length. Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

3. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 6 recites the limitation "said CGI script calls the Wireless Automation Management Interpreter (WAMI)" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 2, 7, 10, 13 – 15, 17; and 20 - 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Cooper et al., U.S. Patent 6,101,503 (hereinafter referred to as Cooper).

In regard to claim 1, Cooper discloses a network environment having a server and a terminal with a web browser:

“The server providing a first web page...configured to receive text representing an executable file.” A server provides a web page to a browser, which receives text representing an executable file (column 4, line 61 to column 5, line 8).

“The server receiving a request, including said text, from said web browser at the remote terminal;” (column 5, lines 3 – 6).

“The server doing at least one of checking the syntax of said text and executing said text...” The text is executed (column 4, line 66 to column 5, line 3; e.g., Figure 5).

“The server providing at least a first version of a second web page...includes results generated by the check for syntax or execution of said text.” Results are sent back to web page (column 5, lines 3 – 8).

In regard to claim 2, incorporating the rejection of claim 1:

"Said executable file is a program or a script;" Cooper teaches an executable script (column 4, line 66 to column 5, line 3).

"Said server executes said text by compiling and running or interpreting said text." Text file is interpreted (column 5, lines 1 – 6; column 6, lines 33 - 38).

In regard to claim 7, incorporating the rejection of claim 2:

"...said executable file is a script..." Cooper teaches execution of scripting files (column 4, line 61 to column 5, line 8. The claims offer no reason for the particular use of, of unique function of a WAMIL scripting language.

In regard to claim 10, incorporating the rejection of claim 1:

"...save said text in memory." Cooper teaches saved text (column 4, lines 30 – 31).

In regard to claim 13:

"The web browser ...receiving a first web page from said server ...;"

"The web browser receiving said text representing said executable file from a user;"

"The web browser making a request to said server that includes said text representing an executable file;"

"The web browser receiving at least a first version of a second web page from said server that includes results."

Claim 13 is rejected for the same reasons as claim 1 being the complementary functions of the server actions in claim 1.

Art Unit: 2124

In regard to claim 14, incorporating the rejection of claim 13:

"Said text defines a program or a script;"

"Said program or script is compiled and run or interpreted by said server."

Claim 14 rejected for the same reasons as claim 2 being the complementary functions of the server actions in claim 2.

In regard to claim 15, incorporating the rejection of claim 13:

"Said network is the Internet;"

"Said first web page includes at least one fill-out form for receiving said text;"

"Said browser sends said text representing said executable file to said server in the format of at least one common gateway interface (CGI) variable."

Claim 15 is rejected for the same reasons put forth in the rejection of claim 3 complementing the server perspective in claim 3.

In regard to claim 17, incorporating the rejection of claim 13:

"...said executable file is a script written in the Wireless Automation Manager Interface Language (WAMIL) scripting language." Cooper teaches execution of scripting files (column 4, line 61 to column 5, line 8). The claims offer no reason for the particular use of, of unique function of a WAMIL scripting language.

In regard to claim 20:

"A server that implements the method of claim 1."

Claim 20 (a server) is rejected for the same reasons put forth in the rejection of claim 1 (the corresponding method).

In regard to claim 21:

"A terminal on a network...running a browser that implements the method of claim 13."

Claim 21 (a terminal) is rejected for the same reasons put forth in the rejection of claim 13 (the corresponding method).

In regard to claim 22:

"A computer-readable medium having embodied thereon a program to be processed by a server...to implement the method of claim 1."

Claim 22 (a medium) is rejected for the same reasons put forth in the rejection of claim 1 (the corresponding method).

In regard to claim 23:

"A computer-readable medium having embodied thereon a program to be processed by a terminal on a network...that causes said terminal to implement the method of claim 13."

Claim 23 (a medium) is rejected for the same reasons put forth in the rejection of claim 13 (the corresponding method).

6. Claims 24 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Potts, Jr. et al., U.S. Patent 6,516,339 (hereinafter referred to as Potts).

In regard to claim 24:

"The server receiving a request from said web browser...to execute said executable file on said server;"

"The server executing said executable file thereby causing separate system to be tested or manipulated;"

"The server providing at least a first version of a web page...that includes results..."

Potts discloses a server receiving a request from a web browser to execute a file (column 1, line29 – 33), the server causes other systems to be manipulated (column 1, lines 38 - 42), and returns the results to the browser (column 1, lines 30 – 35)

In regard to claim 26:

"The web browser making a request...to cause said separate system to be tested or manipulated;"

"The web browser receiving at least a first version...that includes results..."

Potts discloses a server receiving a request from a web browser to execute a file (column 1, line29 – 33), the server causes other systems to be manipulated (column 1, lines 38 - 42), and returns the results to the browser (column 1, lines 30 – 35).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3 – 6, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al., U.S. Patent 6,101,503 (hereinafter referred to as Cooper) in view of Smith, U.S. Patent 5,963,952.

In regard to claim 3, incorporating the rejection of claim 1:

“Said network is the Internet;” Cooper discloses that the network may be the Internet (column 3, lines 55 – 56).

“Said first web page includes at least one fill-out form;” Cooper teaches the use of a pre-determined form for the user to enter search information via a text field (e.g., Figure 8; column 6, line 65 to column 7, line 46).

“Said server receives said text representing said executable file in the format of at least one common gateway interface (CGI) variable.” Cooper does not teach a CGI variable. However, Smith discloses a CGI for transferring input from the client to the server (column 1, lines 35 – 40). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the client/server network environment of Cooper with the common gateway interface of Smith because it is well known in the art that CGI is a standard protocol used to transmit information between a web server and an application and would be used underlying the process taught by Cooper.

In regard to claim 4, incorporating the rejection of claim 3:

“...CGI variable corresponding to at least one of the method GET and the method POST.” Cooper does not teach a CGI variable corresponding to a GET or a POST. However, Smith discloses methods of forwarding information to a CGI as a GET and a POST (column 1, lines 45 – 57). Therefore, it would have been obvious to one skilled in the art at the time the

Art Unit: 2124

invention was made to combine the client/server network environment of Cooper with the common gateway interface of Smith to provide a well known information transfer protocol to the Cooper invention, further combined the well known feature of the CGI interface having methods of GET and POST to forward information to the CGI because these features allow the flexibility of transferring the information via the input file (POST) or the URL (GET).

In regard to claim 5, incorporating the rejection of claim 4:

"Said text defines a program or a script;" Cooper teaches a text file that is interpreted by clicking on terms in the text file will launch programs (column 3, lines 1 – 4).

"Said CGI script calls a compiler or interpreter on said server and passes said program or script to said compiler or interpreter;" Cooper does not teach CGI implementation.

However, Smith teaches that a CGI script, receiving information from the web browser, and executes a non-HTML task (column 1, lines 35 – 41). A compiler or an interpreter is a non-HTML task. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to execute a compiler or an interpreter via the CGI to process the executable file of Cooper because it is well known that the function of a CGI is to communicate information between the web client and resources (databases and other programs) on the server.

"Said compiler or interpreter compiles and runs or interprets said program or script respectively;" Official notice is taken that it is well known by one skilled in the art that a line of a script file is inherently run as it is interpreted. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to implement an interpreter to process a script.

“Said compiler or interpreter returns first output data of said program or script to said CGI script;” It is well known in the art that the purpose of a CGI is to receive form information from a client, process the request via another application (database or program), and return the result to the client after obtaining it from the application. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to implement the well-known art to return output data to the CGI script in order to eventually display the results on the browser.

“Said CGI script builds said second web page so as to include said first output data.” It is well known in the art that the purpose of a CGI is to receive form information from a client, process the request, and return the result to the client in a format compatible with the requesting browser in a web page. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to implement the well-known art to return output data to the CGI script in order to eventually display the results on the browser in a web page.

In regard to claim 6, incorporating the rejection of claim 5:

“Said executable file is a script...” Cooper teaches execution of scripting files (column 4, line 61 to column 5, line 8) and Smith teaches a browser using scripting files (column 1, lines 25 – 33).

“Said CGI script calls the Wireless Automation Management Interpreter...” Cooper does not teach CGI implementation. However, Smith teaches that a CGI script, receiving information from the web browser, and executes a non-HTML task (column 1, lines 35 – 41). A compiler or an interpreter is a non-HTML task. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to execute a compiler or an interpreter via

Art Unit: 2124

the CGI to process the executable file of Cooper because it is well known that the function of a CGI is to communicate information between the web client and resources (databases and other programs) on the server.

In regard to claim 16, incorporating the rejection of claim 15:

“...said browser embeds said text...according to at least one of hypertext transfer protocol (HTTP) method GET and the method POST.”

Claim 16 is rejected for the same reasons put forth in the rejection of claim 4 complementing the server perspective in claim 4.

9. Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al., U.S Patent 6,101,503 (hereinafter referred to as Cooper) as applied to claim 1 above, in view of Boys, U.S. Patent 6,516,340.

In regard to claim 8, incorporating the rejection of claim 1:

“...provide additional versions of said second web page to said remote terminal so as to provide real time, dynamic results to said user.” Cooper does not teach providing additional versions of the second web page with updated results. However, Boys does teach providing versions of web pages to the remote terminal with the ability to update the information (column 5, lines 18 – 25; column 6, lines 44 – 54). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the client/server network environment of Cooper modified with the ability to provide additional versions of the second web age as

Art Unit: 2124

taught by Boys because this allows the user to receive updated information back from the server as needed.

In regard to claim 18, incorporating the rejection of claim 13:

"...said browser is operable to receive additional versions of said second web page..."

Claim 18 is rejected for the same reasons put forth in the rejection of claim 8 complementing the server perspective in claim 8.

10. Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al., U.S Patent 6,101,503 (hereinafter referred to as Cooper) as applied to claim 1 above, in view of Mathis, U.S. Patent 6,269,254.

In regard to claim 9, incorporating the rejection of claim 1:

"...executable file operates upon parameters of a wireless communication network."

Cooper does not teach that an executable file operates upon parameters from a wireless network. However, Mathis teaches that an executable file operates upon parameters of a wireless network (column 10, lines 1 – 10). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the client/server network environment of Cooper with Mathis because the system functionality would be enhanced in a wireless communication environment, and such an environment would necessarily pass parameters to the executable file processed by the CGI.

In regard to claim 19, incorporating the rejection of claim 13:

"...said executable file operates upon parameters of a wireless communication network."

Rejected for the same reasons put forth in the rejection of claim 9.

11. Claim 11 is rejected under 35 U.S.C. 102(e) as being anticipated by Cooper et al., U.S. Patent 6,101,503 (hereinafter referred to as Cooper) as applied to claim 2 above, in view of Fujishima, U.S. Patent 6,449,661, and further in view of Kirk et al., U.S. Patent 5,768,578.

In regard to claim 11, incorporating the rejection of claim 2:

"Said server is operable to run a CGI script that calls a compiler or an interpreter;"

Cooper does not teach a script calling a compiler or an interpreter. However, Fujishima teaches that a script calls a compiler (column 14, lines 55 – 60). A CGI script is another kind of script designed to call non-HTML server applications. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the client/server network environment of Cooper with the capability of the server to call a compiler (or an interpreter) from a script as taught by Fujishima because the script allows the server to independently process information for the web browser of Cooper by running all the necessary routines, including a compiler.

"Said compiler or interpreter extracts data corresponding to at least one of GET method and POST method data from said text representing said executable file;" Methods GET and POST would have been well known FORM attributes in HTTP and CGI communication at the time the invention was made. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to implement the well-known art of checking the attributes containing a GET method or a POST method in order to obtain the required text information.

"Said compiler or interpreter URL-decodes the extracted data GET method and POST method data;" Neither Cooper nor Fujishima teaches an interpreter or a compiler decoding a

Art Unit: 2124

URL. However, Kirk teaches URL decoding by an interpreter. Methods GET and POST would have been well known FORM attributes in HTTP and CGI communication at the time the invention was made. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the client/server network environment of Cooper with the capability of the server to call a compiler (or an interpreter) from a script as taught by Fujishima, further combined with the teaching of Kirk which allows an interpreter (or the compiler of Fujishima) to decode the URL because it is necessary to determine proper method of extracting the information to be interpreted or compiled.

"Said compiler or interpreter compiles...the decoded GET method and POST method data." Compiling or interpreting is an inherent part of an interpreter or a compiler respectively. Therefore, it would have been obvious to one skilled in the art at the time the invention was made that after decoding the GET or POST method to determine how to receive the subject file, that it would interpreted or compiled.

12. Claim 12 is rejected under 35 U.S.C. 102(e) as being anticipated by Cooper et al., U.S. Patent 6,101,503 (hereinafter referred to as Cooper) in view of Fujishima, U.S. Patent 6,449,661, and further in view of Kirk et al., U.S. Patent 5,768,578 as applied to claim 11, and further in view of Weiner et al, U.S. Patent 6,041,331 (hereinafter referred to as Weiner).

In regard to claim 12, incorporating the rejection of claim 11:

"Said compiler or interpreter is operable to perform the extraction by:

"treating data from said browser as an alphanumeric string; Neither Cooper nor Fujishima teaches treating browser data as an alphanumeric string, searching for a CGI variable,

Art Unit: 2124

and excerpting the variable. However, Weiner teaches a method of treating browser data as an alphanumeric string (column 8, lines 10 – 27). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the client/server network environment of Cooper with the capability of the server to call a compiler (or an interpreter) from a script as taught by Fujishima, further combined with the teaching of Weiner to treat the data as an alphanumeric string because it would allow a simpler implementation using a script to translate the data.

“searching for at least one script-related CGI variable ...

“excerpting a part of said alphanumeric text string...as the value of a predefined variable used by said compiler or interpreter; Neither Cooper nor Fujishima teaches treating browser data as an alphanumeric string, searching for a CGI variable, and excerpting the variable. However, Weiner teaches a method of treating browser data as an alphanumeric string (column 8, lines 10 – 27). The method of finding a CGI variable representing the executable file and excerpting the text is inherent in the Weiner system. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the client/server network environment of Cooper with the capability of the server to call a compiler (or an interpreter) from a script as taught by Fujishima, further combined with the teaching of Weiner to treat the data as an alphanumeric string because it would allow a simpler implementation using a script to translate the data.

“URL-decoding said value of said predefined variable.” Neither Cooper nor Fujishima teaches an interpreter or a compiler decoding a URL. However, Kirk teaches URL decoding by an interpreter. Methods GET and POST would have been well known FORM attributes in HTTP

Art Unit: 2124

and CGI communication at the time the invention was made. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the client/server network environment of Cooper with the capability of the server to call a compiler (or an interpreter) from a script as taught by Fujishima, further combined with the teaching of Kirk which allows an interpreter (or the compiler of Fujishima) to decode the URL because it is necessary to determine proper method of extracting the information to be interpreted or compiled.

13. Claims 25 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Potts, Jr. et al., U.S. Patent 6,516,339 (hereinafter referred to as Potts) as applied to claims 24 and 26 respectively above, and further in view of Mathis, U.S. Patent 6,269,254.

In regard to claims 25 and 27, incorporating the rejection of claims 24 and 26 respectively:

“...said separate system is a wireless communication network, and said executable file is a script written in ... (WAMIL) scripting language.” Potts does not teach a separate wireless network. However, Mathis teaches that an executable file operates upon parameters of a wireless network (column 10, lines 1 – 10). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify the client/server network environment of Potts with the wireless network of Mathis because the system functionality would be enhanced in a wireless communication environment, including mobility and remote communications.

Art Unit: 2124

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence Shrader whose telephone number is (703) 305-8046.

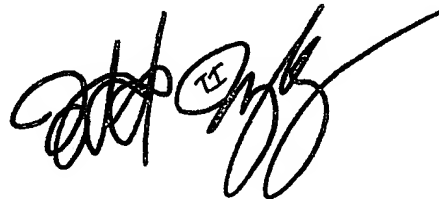
The examiner can normally be reached on M-F 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (703) 305-9662. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Lawrence Shrader
Examiner
Art Unit 2124

July 17, 2003

A handwritten signature in black ink, appearing to read 'Todd Ingberg', with a stylized flourish extending from the end.

**Todd Ingberg
Primary Examiner
Group 2100**